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7-26-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Wei *et al.*

Appl. No. 09/826,212

Filed: April 5, 2001

For: Tumor Necrosis Factor
Receptor 5

Confirmation No. 3523

Art Unit: 1646

Examiner: O'Hara, Eileen B.

Atty. Docket: 1488.1280006/EKS/GLL/SJE

**Notice of Appeal From the Examiner to the Board
of Patent Appeals and Interferences - Large Entity**Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final decision of the Examiner dated March 11, 2003, in which claims 176-190 and 210-220 were finally or twice rejected.

The fee (for a large entity) for filing a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (37 C.F.R. § 1.17(b)), along with any necessary extension fees (37 C.F.R. § 1.17(a)), is included in our PTO-2038 Credit Card Payment Form. In the event that extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

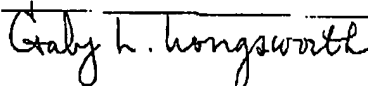
07/21/2003 DTHORAS 00000001 09826212

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320.00 OP

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Gaby L. Longworth, Ph.D.
Agent for Applicants
Registration No. 47,756Date: June 11, 2003
1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
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SKGP DC1:143189.1

Commissioner for Patents
June 11, 2003
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Gaby L. Longsworth

Gaby L. Longsworth, Ph.D.
Agent for Applicants
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EKS/GLL/SJE:kim
Enclosures

SKGF_DC1:143892.1



Official 7/11/03
EKA

Fax

☐ Urgent ☐ Return reply requested ☐ Original will be sent as confirmation

To: U.S. Patent and Trademark Office

Date: July 11, 2003

Attention: Examiner Eileen B. O'Hara

Re: U.S. Utility Patent Application

Appl. No. 09/826,212; Filed: April 5, 2001

From: Gaby L. Longsworth, Ph.D.

For: Tumor Necrosis Factor Receptor 5
Inventors: Wei *et al.*

Pages (including cover sheet): 7

Fax No: (703) 746-6901

Our Reference: 1488.1280006/EKS/GLL

Message

Dear Exam. O'Hara:

As we discussed yesterday, attached are copies of the documents filed on June 11, 2003, evidencing that a Notice of Appeal was filed.

If any portion of this transmission is not received clearly or in full,
contact us at 202.371.2600 or f 202.371.2540.

This message is intended for the exclusive use of the individual or entity to which it is addressed. The message may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, copying or use of this communication in any way is strictly prohibited. If you have received this communication in error, please call us collect immediately, and return the original message to us at the above address via the U.S. Postal Service.

Sterne, Kessler, Goldstein & Fox P.L.L.C. : 1100 New York Avenue, NW : Washington, DC 20005 : 202.371.2600 f 202.371.2540 : www.skgf.com

SKGF_DC1154291.1

Applicants: Wei *et al.*
Application N .: 09/826,212
Filed: April 5, 2001
For: Tumor Necrosis Factor Receptor 5

Due Date: June 11, 2003
Art Unit: 1646
Examiner: O'Hara, Bileen B.
Docket: 1488.1280006
Atty: EKS/GLL/SJE

When receipt stamp is placed hereon, the USPTO acknowledges receipt of the following documents:

1. SKGF Cover Letter;
2. Fee Transmittal (PTO/SB/17);
3. Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences - Large Entity;
4. Credit Card Payment Form (PTO-2038) in the amount of \$320.00 to cover the Notice of Appeal fee; and
5. Return postcard.

SKGP_DC1;143894.1

Please Date Stamp And Return To Our Courier

Mail Stop AF





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*Admitted only in Maryland
*Admitted only in Virginia
*Practice Limited to
Federal Agencies

June 11, 2003

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GLONGS@SKGF.COM

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Mail Stop AF

Re: U.S. Utility Patent Application
Appl. No. 09/826,212; Filed: April 5, 2001
For: Tumor Necrosis Factor Receptor 5
Inventors: Wei *et al.*
Our Ref: 1488.1280006/EKS/GLL/SJE
Art Unit: 1646

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Fee Transmittal (PTO/SB/17);
2. Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences - Large Entity;
3. Credit Card Payment Form (PTO-2038) in the amount of \$320.00 to cover the Notice of Appeal fee; and
4. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Under the Paper

Reduction Act of 1995, no persons are required to respond to a collec

Approved for use through 4/30/2003. UMB 0651-0032
Trademark Office: U.S. DEPARTMENT OF COMMERCE
If information unless it displays a valid OMB control number.**FEE TRANSMITTAL****for FY 2003**

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 320.00**Complete if Known**

Application Number	08/828,212
Filing Date	April 5, 2001
First Named Inventor	Ying-Fai WEI
Examiner Name	O'Hara, Eileen B.
Art Unit	1646
Attorney Docket No.	1488.1280006/EK9/GLL/SJE

METHOD OF PAYMENT (check all that apply)☐ Check ☒ Credit card ☐ Money Order ☒ Other** ☐ None

** Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 18-0036.

☐ Deposit Account
Deposit Account Number 18-0036

Deposit Account Name: Steme, Kessler, Goldstein & Fox P.L.L.C.

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any over payments☐ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1105	180	2005	90	Provisional filing fee	

SUBTOTAL (1) (\$) -0-**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

	Extra	Fee from below	Fee Paid
Total Claims _____ - 20** = _____	X	=	
Indep. Claims _____ - 3** = _____	X	=	
Multiple Dependent _____		=	

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	**Reissue Independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) -0-

* or number previously paid, if greater; For Reissue, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1502	50	2052	25	Surcharge-late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,870	2255	935	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	\$320.00
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to Institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1480	130	1480	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 320.00**SUBMITTED BY**

Name (Print/Type)	Gaby L. Longworth	Registration No. (Attorney/Agent)	47,756	Telephone	202-371-2600
Signature	Gaby L. Longworth	Date	June 11, 2003		

Complete (if applicable)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2032.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-788 9199) and select option 2.

SKGF, DC1,143980.1